

Surface Mining Reclamation and Enforcement, Interior

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been adopted under the Surface Mining Control and Reclamation Act of 1977.

[46 FR 5898, Jan. 21, 1981]

§ 916.10 State regulatory program approval.

The Secretary conditionally approved the Kansas regulatory program, as submitted on February 26, 1980, and amended on October 31, 1980, effective January 21, 1981. He fully approved the Kansas program, as amended on May 20, 1981, effective April 14, 1982. Copies of the approved program are available at:

(a) Kansas Department of Health and Environment, Surface Mining Section, 4033 Parkview Drive, Frontenac, KS 66763.

(b) Office of Surface Mining Reclamation and Enforcement, Mid-Continent Regional Coordinating Center, Alton Federal Building, 501 Belle Street, Alton, IL 62002.

[64 FR 20167, Apr. 26, 1999]

§ 916.12 State regulatory program and proposed program amendment provisions not approved.

(a) The following provisions of the Kansas Administrative Regulations (K.A.R.) as submitted on April 23, 1986, and January 26, 1988, are disapproved: Paragraphs (c) and (d) of K.A.R. 47-9-1 insofar as they incorporate by reference 30 CFR 816.133(d) and 817.133(d), which establish criteria for variances from approximate original contour requirements.

(b) [Reserved]

[53 FR 39470, Oct. 7, 1988]

§ 916.15 Approval of Kansas regulatory program amendments.

The following is a list of the dates amendments were submitted to OSM, the dates when the Director's decision approving all, or portions of these amendments, were published in the FEDERAL REGISTER and the State citations or a brief description of each amendment. The amendments in this table are listed in order of the date of final publication in the FEDERAL REGISTER.

Original amendment submission date	Date of final publication	Citation/description
May 20, 1981	April 14, 1982	MLCRA 49-411, 412, 413, 414, 416, 421, 49-422, 422a, 430.
November 16, 1982 ..	March 1, 1983	MLCRA 49-403, 49-405c, 49-406, 49-420; § 10 of House Bill 2182; K.A.R. 47-2-21, 47-8-10, 47-8-11.
March 16, 1984	June 8, 1984	MLCRA 49-406; K.A.R. 47-1-10.
December 21, 1984 ..	April 11, 1985	K.A.R. 47-15-13.
April 4, 1985	November 15, 1985	K.S.A. 1984 Supp. 49-406(g); K.A.R. 47-1-11; 47-2-75; 47-3-42, (a)(23), (45); 47-5; 47-8-9(a), (j); 47-9-1, 2, 3; 47-13-4, 5, 6; 47-15; Memoranda of understanding with Fish and Game Commission, Division of Water Resources, Department of Health and Environment, State Geological Survey, State Historical Society, State Water Office, State Conservation Commission and State Fire Marshal.
April 23, 1986	May 26, 1987	K.A.R. 47-1-4; 47-2-7, 17, 44, 53, a, 75; 47-3-2, 3, a, 4, 21, 40, 42; 47-4-14, 15; 47-6-3, 4, 5, 6; 47-7-2; 47-8-2, 9, a, 10; 47-9-1, 3, 4; 47-10-1; 47-11-8; 47-12-4; 47-15-1a.
August 5, 1987	December 31, 1987	K.S.A. 49-431; K.A.R. 47-9-1.
April 29, 1988	October 5, 1988	K.S.A. 49-402, 404, 405, a through d; 407 through 410, 413, 415, 416, a, 417, 420, 421a, 426 through 429, 432, 433; K.S.A. 1987 Supplement 49-403, 406, 422a.
January 26, 1988	October 7, 1988	K.A.R. 47-2-75; 47-3-42(a); 47-7-2; 47-9-1 (c), (d); 47-10-1; 47-12-4.
June 8, 1990	February 19, 1991 ..	The revegetation guidance document entitled "Revegetation Standards for Success and Statistically Valid Sampling Techniques for Measuring Revegetation Success".
June 29, 1989	September 13, 1991	K.A.R. 47-1-1, 3, 4, 8, 9, 10, 11; 47-2-14, 21, 53, 67, 75; 47-3-1, 2, 3a, 42; 47-4-14a, 15, 16, 17; 47-5-5a, 16; 47-6-1 through 4, 6 through 10; 47-7-2; 47-8-9, 11; 47-9-1, 2, 4; 47-10-1; 47-11-8; 47-12-4; 47-13-4 through 7; 47-15-1a, 3, 4, 7, 8, 15, 17.
June 29, 1989	April 13, 1992, September 9, 1994.	"Guidelines for repair of rills and gullies in Kansas".
June 3, 1991	August 19, 1992	Statistical sample adequacy.
July 10, 1992	June 14 and August 30, 1993.	K.A.R. 47-1-9; 47-2-14, 53a, 58, 67, 75; 47-3-2, 3a, 42; 47-4-14a, 15; 47-5-5a, 16; 47-6-1 through 4, 6, through 10; 47-7-2; 47-8-9, 11; 47-9-1, 4; 47-10-1; 47-11-8; 47-12-4; 47-13-4, 5; 47-14-4, 7; 47-15-1a, 4, 7, 8.

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Original amendment submission date	Date of final publication	Citation/description
September 14, 1993	June 3, 1994	K.A.R. 47–2–75(e)(6); 47–4–14a(b), (c)(7), (11), (d), (2)(F), (6)(E)(iii), (iv); 47–5–5a(a)(10), (b), (14), (15), (16), (19), (20), (c)(7)(C); 47–6–7(h)(2); 47–9–1(c)(17), (43), (46), (d)(17), (39), (44); 47–15–1a, (b)(6), (9), (21). Alternative sampling method for determining woody stem density.
August 9, 1995	November 27, 1995	K.A.R. 47–1–1, 3, 4, 8, 9, 10, 11; 47–2–14, 21, 53, 53a, 58, 64, 67, 74, 75; 47–3–1, 2, 3a, 42; 47–4–14a, 47–4–15; 47–4–16; 47–4–17; 47–5–5a; 47–5–16; 47–6–1, 2, 3, 4, 6, 7, 8, 9, 10; 47–7–2; 47–8–9, 11; 47–9–1, 2, 4; 47–10–1; 47–11–8; 47–12–4; 47–13–4, 5, 6; 47–14–7; 47–15–1a; 47–15–3, 4, 7, 8, 15, 17.
May 7, 1997	March 3, 1998	
October 9, 2001	February 26, 2002.	Revegetation Standards for Success and Statistically Valid Sampling Techniques for Measuring Revegetation Success dated January 2002.
July 24, 2002	March 25, 2003	K.A.R. 47–2–75; 47–3–2, 42; 47–4–14a(c)(2); 47–5–5a, 17; 47–6–1, 2(d)(2), 3, 4, 6, 8, 9, 10, 11; 47–7–2; 47–8–9; 47–9–1, 4; 47–10–1; 47–11–8; 47–12–4; 47–13–4; 47–14–7; 47–15–1a.
November 19, 2007 ..	November 28, 2008	Revegetation Success Guidelines; Normal Husbandry Practices; Kansas Regulations: K.A.R. 47–4–14a(c)(2), (d)(2)(A), (d)(3)(A); K.A.R. 47–5–5a(a)(4), (a)(5), (a)(9), and (a)(11) through (a)(13).

[62 FR 9941, Mar. 5, 1997, as amended at 63 FR 10317, Mar. 3, 1998; 67 FR 8716, Feb. 26, 2002; 68 FR 14326, Mar. 25, 2003; 73 FR 72351, Nov. 28, 2008]

§916.16 Required regulatory program amendments. [Reserved]

§916.20 Approval of Kansas abandoned mine land reclamation plan.

The Secretary conditionally approved the Kansas abandoned mine land reclamation plan, as submitted on October 1, 1981, effective February 1, 1982. He fully approved the Kansas plan, as amended by Kansas House Bill No. 2994 on April 14, 1982, and Kansas House Bill No. 2516 on May 2, 1983, and removed all conditions prohibiting the funding of State abandoned mine land construction grants, effective June 3, 1983. Copies of the approved plan are available at:

(a) Kansas Department of Health and Environment, Surface Mining Section, 4033 Parkview Drive, Frontenac, KS 66763.

(b) Office of Surface Mining Reclamation and Enforcement, Mid-Continent Regional Coordinating Center, Alton Federal Building, 501 Belle Street, Alton, IL 62002.

[64 FR 20167, Apr. 26, 1999]

§916.25 Approval of Kansas abandoned mine land reclamation plan amendments.

The following is a list of the dates amendments were submitted to OSM, the dates when the Director's decision approving all, or portions of these amendments, were published in the FEDERAL REGISTER and the State citations or a brief description of each amendment. The amendments in this table are listed in order of the date of final publication in the FEDERAL REGISTER.

Original amendment submission date	Date of final publication	Citation/description
April 29, 1988	October 5, 1988	Reorganization of the Regulatory Authority. House Bill 3009 eliminated the Kansas Mined Land Conservation and Reclamation Board and transferred its functions and staff to the Kansas Department of Health and Environment.
September 30, 1988	January 10, 1989 ...	Approval of emergency reclamation program.
June 29 and July 26, 1989.	November 30, 1989	KAR 47–16–1, –16–2, –16–4 through –8; policy and procedures for project ranking and selection; organization structure; public participation.
October 25, 1991	April 13, 1992	KAR 47–16–5(b), –6.
May 7, 1997	March 3, 1998	K.A.R. 47–16–1 through 47–16–11.
March 17, 1998	June 8, 1998	Section 884.13(c)(2) and (d)(3).
July 24, 2002	March 25, 2003	K.A.R. 47–16–9(a), 47–16–10(b), and 47–16–12.

[62 FR 9941, Mar. 5, 1997, as amended at 63 FR 10317, Mar. 3, 1998; 63 FR 31112, June 8, 1998; 68 FR 14326, Mar. 25, 2003]